

Arizona Board of Fingerprinting

Governor's Task Force on Human Trafficking
September 11, 2013

Overview

- Fingerprinting v. fingerprint clearance cards
- Precluding offenses
- Good cause exceptions
- Approval rate
- Questions

Fingerprinting v. Fingerprint Clearance Cards

- “Regular” Fingerprinting
 - Agency receives criminal history record
 - Agency decides how to handle results
 - One-time check (can be repeated)
- Fingerprint Clearance Card (FCC)
 - DPS determines approval or denial
 - Suspensions (file stops)
 - Six year period of validity
- Programs that require FCCs: see DPS application

Precluding Offenses

- A.R.S. §§ 41–1758.03 (regular cards) and 41–1758.07 (level I cards)
- Subsection B offenses
 - Especially serious crimes
 - Compliance with Congressional enactment
 - Absolutely prohibited from receiving FCC
- Subsection C offenses
 - Range from very serious to relatively minor crimes
 - Prohibited from receiving FCC without Board of Fingerprinting approval (good cause exception)

Good Cause Exceptions

- Is applicant rehabilitated and not a recidivist?
- Not an appeal
- A.R.S. § 41–619.55 requires Board to consider
 - The extent of the person's criminal record.
 - The length of time that has elapsed since the offense was committed.
 - The nature of the offense.
 - Any applicable mitigating circumstances.
 - The degree to which the person participated in the offense.
 - The extent of the person's rehabilitation, including:
 - Completion of probation, parole or community supervision.
 - Whether the person paid restitution or other compensation for the offense.
 - Evidence of positive action to change criminal behavior, such as completion of a drug treatment program or counseling.
 - Personal references attesting to the person's rehabilitation.
- Board also may consider substantiated allegations of child or vulnerable-adult abuse or neglect

Approval Rate (FY 2012)

- 2,464 applications received
- 2,635 cases closed
 - 271 closed administratively (10.28%)
 - 107 DPS issued card
 - 11 ineligible
 - 153 withdrew/dropped out
 - 88 denied (3.34%)
 - 2,276 approved (86.38%)

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